

NO. 5:10-CV-539-BO

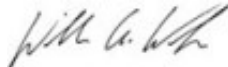
Defendant.

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5:10-CV-525-BR. The undersigned recommended that both of those complaints be dismissed as frivolous. The instant Complaint does not correct any of the deficiencies noted in Plaintiff's previous frivolous complaints, nor does he assert any new claims that are valid.

Therefore, in light of Plaintiff's previous frivolous filings, the undersigned finds that the instant allegations also fail to state a claim upon which relief can be granted. Accordingly, the undersigned RECOMMENDS that Plaintiff's motion to proceed *in forma pauperis* be GRANTED, but that his Complaint be dismissed for failure to state a claim.

SO RECOMMENDED in Chambers at Raleigh, North Carolina on Monday, December 06, 2010.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE